

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**WILLIAMS FIELD SERVICES
COMPANY, LLC,**

Plaintiff,

v.

**TODD E. GREENWOOD and
JAMES F. GREENWOOD
JEFFREY A. GREENWOOD,**

Defendants.

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NO. 3:19-CV-1545

HON. MATTHEW W. BRANN

ELECTRONICALLY FILED

**WILLIAMS FIELD SERVICES COMPANY, LLC’S ANSWER TO
MOTION OF DEFENDANTS TODD E. GREENWOOD AND JAMES F.
GREENWOOD TO EXTEND CASE MANAGEMENT DEADLINES**

Plaintiff, Williams Field Services Company, LLC (“Williams”), hereby files the following Answer to Defendants Todd E. Greenwood and James F.

Greenwood’s (the “Greenwoods”) Motion to Extend Case Management Deadlines.

1. Denied. The operative pleading is Williams’ Amended Complaint filed on January 24, 2020 which seeks, *inter alia*, a declaration of its rights under a Partial Assignment and Assumption of Lease Agreement (the “Partial Assignment”). (See ECF 38 ¶¶ 37-40.) The Partial Assignment is between non-

party Cabot Oil & Gas Corporation (“Cabot”)¹ and Williams and is derivative of certain rights under an Oil and Gas Lease, dated January 27, 2006 (the “2006 Lease”) between Cabot and the Greenwoods. (*See* ECF 38 ¶¶ 10, 15-18, 22-24.)

2. Admitted.

3. Admitted.

4. Admitted in part, denied in part. It is admitted that Williams completed its discovery, including the depositions of the Greenwoods by this Court’s deadline. The remaining allegations are denied.

5. Admitted.

6. Admitted.

7. Admitted in part, denied in part. It is admitted that Michael Mish, an Engineering and Construction Project Manager at Williams, testified today that Cabot installed and constructed a pipeline on the Greenwoods’ Bridgewater Township property. The remaining allegations are denied.

8. Denied as stated. The Greenwoods testified that they knew the pipeline on their Bridgewater Township property was installed, they did not interfere with Cabot’s operations and, further, they are both receiving royalties

¹ *See* ECF 46, 48.

under the valid 2006 Lease. (*See* Dep. Tr. of Todd E. Greenwood, Oct. 27, 2020, at 20, 1.4 to 21, 1.23; 28, 1.25 to 29, 1.3; 32, 1. 25 to 33, 1.19 (a copy of the relevant portions are attached hereto as Exhibit “A”); *see also* Dep. Tr. of James F. Greenwood, Oct. 27, 2020 at 13, 11.5-22; 22, 11.1-6, 14-17 (a copy of the relevant portions are attached hereto as Exhibit “B”).)

9. Denied as stated. Counsel for the Greenwoods initially requested undersigned counsel’s concurrence in an extension of discovery to “look into the relationship between Cabot and Williams concerning the pipeline project.” (A copy of the Emails, dated Nov. 5, 2020 are attached hereto as Exhibit “C.”) Williams opposed the request to extend the deadline because, *inter alia*, Cabot is not a party to this case and the relationship between Williams and Cabot is not relevant. (*Id.*) The Greenwoods’ Motion *sub judice* does not make reference to the need for additional discovery into that relationship. (*See* ECF 60 ¶ 9.) Rather, the Greenwoods allege additional discovery is necessary “to determine the involvement of . . . Williams, if any, in the construction and installation of the pipeline” (*Id.*) Such a request to extend the discovery deadline is not necessary. The Greenwoods’ counsel *already* examined Michael Mish, an Engineering and Construction Project Manager at Williams, about the involvement of Williams in the construction and installation of the pipeline on the Greenwoods’ Bridgewater Township property. Mr. Mish provided answers to those questions

under oath today. Moreover, the additional discovery sought by the Greenwoods (*i.e.*, to determine the involvement of Williams, if any, in the construction and installation of the pipeline) is not relevant to any claim or defense in this matter since the central issue before this Court is the interpretation and validity of the Partial Assignment, which is a question of law left to the province of this Court. *See, e.g., Walls v. Repsol Oil and Gas USA, LLC*, No. 4:20-CV-782, 2020 WL 5502151 *5-6 (M.D. Pa. Sept. 11, 2020)² (J. Brann) (interpretation of an oil and gas lease “is a task for this Court as a matter of law.”)³ Moving forward on this Court’s current case management schedule, Williams will file a dispositive motion regarding its requested relief in this case, which is a declaration of rights under the Partial Assignment.⁴ Therefore, no further discovery is necessary.

² Pursuant to Middle District Local Rule 7.8(a), copies of the unpublished opinions are reproduced in the attached Appendix.

³ Further, the Greenwoods also took the depositions of Michael Bass, former Senior Land Representative at Williams, and Brian Hale, Manager of Land at Williams. At those depositions, Messrs. Bass and Hale were examined about the pipeline project. Further discovery on the same topic is not relevant. If discovery is not relevant to any party’s claim or defense and otherwise not proportional to the needs of the case, such discovery should not be permitted. *See, e.g., Barot v. Susquehanna Physician Services*, 4:14-CV-673, 2016 WL 1182281 *2-4 (M.D. Pa. March 28, 2016) (J. Brann) (discussing Fed. R. Civ. P. 26(b)(1) and denying discovery which is not relevant to any claim or defense).

⁴ The only legal issue the parties dispute is whether the Partial Assignment is valid. (*See* ECF 56 § 1.3.)

10. Denied. This Court's Order (ECF 58), being in writing, speaks for itself.

11. Admitted. By way of further response, *see* Exhibit "C."

WHEREFORE, Plaintiff Williams Field Services Company, LLC respectfully requests Defendants' Motion to Extend Case Management Deadlines be denied.

Respectfully submitted,

/s/ Nicholas F. Kravitz

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Date: November 5, 2020

CERTIFICATE OF SERVICE

I, Nicholas F. Kravitz, hereby certify that a true and correct copy of the foregoing Answer to Defendants' Motion to Extend Case Management Deadlines was served upon the following counsel of record via the Court's ECF system on this 5th day of November 2020:

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